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August 19, 2019

Via ECF

The Honorable George B. Daniels
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street, Room 1310
New York, NY 10007

The Honorable Sarah Netburn
Thurgood Marshall
United States Courthouse
40 Foley Square, Room 430
New York, NY 10007

Re: *In re Terrorist Attacks on September 11, 2001, 03 MDL 1570 (GBD) (SN)*
(All Actions)

Dear Judge Daniels and Judge Netburn:

On behalf of Defendant Kingdom of Saudi Arabia (“Saudi Arabia”), I write concerning Saudi Arabia’s responses today to Plaintiffs’ three sealed motions or objections submitted on August 5, 2019. Copies of those responses are being sent to Judge Daniels’ chambers by overnight mail and to Judge Netburn’s chambers by electronic mail.

Saudi Arabia’s responses today contain citations to, descriptions of, and quotations from documents that are subject to the general MDL protective order, ECF No. 1900, and that are sealed under Judge Netburn’s order of July 22, 2019, ECF No. 4696, or should be sealed for the same reasons as the Vienna Convention documents discussed in that order. One of Saudi Arabia’s filings also discloses the contents of deposition testimony that has been designated confidential by a third-party witness. In addition, two of the three responses contain citations to, descriptions of, and quotations from documents subject to the Privacy Act and Protective Order for FBI Documents, ECF No. 4255.

All three responses can ultimately be filed on the public docket with appropriate redactions. Judge Netburn had directed the parties to meet and confer by August 12, 2019, concerning appropriate redactions to the briefing on Plaintiffs’ motion to compel and Saudi Arabia’s motion to limit the scope of supplemental discovery, and related documents. ECF No. 4696, at 18. That deadline was stayed by its own terms when Plaintiffs filed Rule 72 objections to the order imposing it.

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The Honorable George B. Daniels and the Honorable Sarah Netburn
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It would be most efficient to determine redactions to the briefing for the present motion sequences (including Plaintiffs' August 5 motions and objections, Saudi Arabia's responses today, and Plaintiffs' replies that are due August 23) as part of that same meet-and-confer process. Accordingly, Saudi Arabia respectfully requests that the Court accept its responses today under seal and direct that proposed redactions for those filings be submitted together with the other proposed redactions that will be due after Judge Daniels resolves Plaintiffs' Rule 72 objections to Judge Netburn's July 22 order.

Sincerely,

/s/ Michael K. Kellogg

Michael K. Kellogg

Attorney for the Kingdom of Saudi Arabia

Cc: Chambers of the Honorable George B. Daniels (via facsimile)